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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,280	02/02/2005	Johannus Wilhelmus Weekamp	NL02 0717 US	8314

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PHILIPS ELECTRONICS NORTH AMERICA CORPORATION
INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
HSU, AMY R	

ART UNIT	PAPER NUMBER
2622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/523,280	WEEKAMP ET AL.	
	Examiner	Art Unit	
	Amy Hsu	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 February 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 February 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/2/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-5, 7-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuroda (US 2003/0036365).

Regarding Claim 1, Kuroda teaches a device for mobile communication with a first side and an opposed second side (*Figs 5 and 6 reference number 1a)*, which device is provided with a camera comprising a lens (*Fig. 5 reference number 6 with lens, 7)* and a photosensitive element (*digital cameras inherently include a photosensitive element to capture images)* and with a picture screen on which images caught by the camera can be pictured (*Fig. 5 reference number 3)*, characterized in that

a second camera is present (Fig. 6 reference number 10), comprising a lens (Fig. 6 reference number 11) and a photosensitive element (*as addressed above)*, the first camera is oriented towards the first side of the device, and the second camera is oriented towards the second side of the device (*as shown in Figs. 5 and 6, see also paragraph 11)*.

Regarding Claim 2, Kuroda teaches a device as claimed in claim 1, characterized in that the first camera and the second camera each comprise a carrier body with a first side and an opposed second side (*Fig. 6 reference number 1a is a carrier body, wherein the thickness is shown to be divided in two*, which each act as a carrier body for each of the two cameras, 6 and 10) with the lens at the first side and the photosensitive element at the second side (*Fig. 5 shows the lens, 7, at the first side, or the side that folds into the mobile phone, and the photosensitive element, which is understood in the art to be on the circuit board, Fig. 7, reference number 14, is at the second side closer to the opposite side of the lens)*, which carrier body has an opening which extends from the first side to the second side and is arranged between the lens and the photosensitive element (*the carrier body, Fig. 7 reference number 1a has an opening where the lenses of the two cameras, 6a and 10a, are exposed. This opening must extend through to the photosensitive element in order to capture light through the opening, and therefore the opening must go through and between the lens to the photosensitive element)*.

Regarding Claim 3, Kuroda teaches a device as claimed in claim 2, characterized in that the first and the second camera have a common carrier body (*Figs. 5 and 6 reference number 1a)* such that the lens of the first camera and the photosensitive element of the second camera are present at the first side of the carrier body, while the photosensitive element of the first camera and the lens of the second camera are present at the second side (*As seen in Fig. 5, the lens is at the surface of the outer surface, the photosensitive element corresponding to this lens must be further into the apparatus, towards the opposite side as seen in Fig. 7. The lens of the first camera and the second camera are on opposite sides as seen in Figs. 5 and 6, therefore the corresponding photosensitive elements are on opposite sides of the lens, which is the same side as the other camera's lens).*

Regarding Claim 4, Kuroda teaches a device as claimed in claim 3, characterized in that the picture screen is fixed to the common carrier body (*Fig. 5 shows the display, reference number 3, fixed and within the common body, reference number 1a)*, and an electrical connection is present across the carrier body between the photosensitive elements of the cameras and the picture screen (*Although not specifically described, it is well known in the art that a camera contains a photosensitive element and since reference number 6 and 10 are cameras, they contain photosensitive elements to capture images. Fig. 7 shows the LCD, reference number 18, in contact with the printed circuit board, reference number 14. One skilled in the art would recognize that there is an electrical connection between the photosensitive elements on the circuit*

board and the directly adjacent LCD in order to display the capture image on the display).

Regarding Claim 5, Kuroda teaches a device as claimed in claim 2, characterized in that the carrier body is electrically insulating with a conductor pattern at a surface, which conductor pattern extends at several sides of the carrier body and is mechanically anchored in the carrier body (*Fig. 7 shows the inside of the device, reference numbers 1c, 1d, and 20 are for the purpose of holding internal pieces in place or protecting internal pieces from outside exposure, and therefore act as a conductor pattern at the surface, the outline of Fig. 7, to electrically insulate the internal members from the outside).*

Regarding Claim 7, Kuroda teaches a device as claimed in claim 1, characterized in that means are present in the device by which a user can switch the first and the second camera on and off. Fig. 42 teaches a power source which those skilled in the art will recognize the user can control the power, to turn on/off the device, which would turn on/off the first and second camera.

Regarding Claim 8, Kuroda teaches a device as claimed in claim 1, characterized in that the device is further provided with means by which a user can adjust the display on the picture screen of the images caught by the first and the second camera. It is well known in the art that properties of the display, or the images pictured on the

screen that were caught by the cameras can be adjusted, such as adjusting brightness of an LCD screen.

Regarding Claim 9, Kuroda teaches a device as claimed in claim 1, characterized in that the first camera is provided with a lens which is optimized for receiving images from a distance of at most one meter to the lens (*the close range photography camera taught by Kuroda can have an adjustable focus range of 30 cm to 1m as taught in paragraph 34)*, and the second camera is provided with a lens which is optimized for receiving images from a distance of at least one meter to the lens (*the long range camera taught by Kuroda in paragraph 35 has a focus distance of above 1m).*

Regarding Claim 10, Kuroda teaches a device as claimed in claim 1, characterized in that means are present by which the device can be placed on a substrate such that at least one of the cameras can record an image desired by a user without the user having to hold the device (*Fig. 6 shows the apparatus taught by Kuroda having a flat surface on the edge such that when the mobile phone is closed, it can stand upright on a substrate such as on top of a table. The camera, 10, can record an image without the user holding the device since the bottom surface when the camera is standing upright is pictured to be completely flat in Fig. 6).*

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuroda (US 2003/0036365).

Regarding Claim 6, Kuroda teaches a device as claimed in claim 1, characterized in that the device is provided with a lower side and an upper side, the first side extending from the lower side to the upper side (*Fig. 5 shows an upper side where the lens is and a lower side at the opposite end),* and the first camera is present in a position between the picture screen and the upper side of the device (*as seen in Fig. 5)*, and an axis of the camera defined by a center of the photosensitive element and a center of the lens encloses an angle of between 0 and 20° with an axis directed perpendicularly to the picture screen, with the camera being oriented in a downward position with respect to the substrate (*Fig. 6 shows that when the device is opened in the way pictured, the axis going through the lens, reference number 11, going into the page, is between 0 and 20 degrees with an axis perpendicular to the screen, also going into the page).* However, since Kuroda teaches the device in a "flip" cell phone, Kuroda fails to teach that the display screen is adjusted so that when the lower side is placed on a substrate, the images are pictured in an upright position on the screen. In

the figures by Kuroda, the phone would have to stand on the upper side when the phone is closed in order to stand upright and capture images. However, on a cell phone that does not flip open and closed, it would be the case that the device can stand up on it's lower side and capture images in a way to capture upright pictures on the screen. It would have been obvious to one or ordinary skill in the art to apply the teaching of Kuroda to a device, for example a cell phone that does not flip open, in order to capture pictures on a screen that are in an upright position. Since a cell phone that does not flip open, that has a camera above the screen, is so well known, then applying the double camera invention of Kuroda to such a device would be obvious and would produce predictable results.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure including Lim (US 7184092), Shimamura (US 7176961), Sawahara et al. (US 7126626), Nakakubo et a. (US 6922212), and Britz (US 5414444).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy Hsu whose telephone number is 571-270-3012. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amy Hsu
Examiner
Art Unit 2622

ARH 8/24/2007

LIN YE
SUPERVISORY PATENT EXAMINER